

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Izumi KUMAGAI et al.

Application No.: 10/642,284

Confirmation No.: 2450

Filed: August 18, 2003

Art Unit: 1643

For: NOVEL DIABODY-TYPE BISPECIFIC  
ANTIBODY

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Examiner: A. L. Holleran

**DECLARATION UNDER 37 C.F.R. § 1.132**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

We, the undersigned each declare the following. We, 1) Izumi KUMAGAI, 2) Toshio KUDO, 3) Kouhei TSUMOTO, and 4) Ryutaro ASANO are co-inventors of the subject matter described and claimed in the United States Patent Application Serial No. 10/642,284, filed August 13, 2003, entitled, NOVEL DIABODY-TYPE BISPECIFIC ANTIBODY.

We are also co-authors of the reference Asano et al., "Preparation of Diabody by Using a Newly Cloned Anti-Oma Antigen Antibody," 75<sup>th</sup> Annual Congress of the Japanese Biochemical Society, 74(8), August 25, 2002, Abstract 3P-214, along with co-author Hiroki HAYASHI. The co-author Hiroki HAYASHI was working under the direction and supervision of the co-inventors, Izumi KUMAGAI, Toshio KUDO, Kouhei TSUMOTO, and Ryutaro ASANO, and while co-authoring the publication, is not a co-inventor of the subject matter described therein.

We, the undersigned, are the inventors of the subject matter which is disclosed in Asano et al. and disclosed and claimed in the above-identified application.

We each hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Izumi Kumagai  
1) Izumi KUMAGAI

August 18, 2008  
DATE

Toshio Kudo  
2) Toshio KUDO

August 8, 2008  
DATE

Kouhei Tsumoto  
3) Kouhei TSUMOTO

July 29, 2008  
DATE

Ryutaro Asano  
4) Ryutaro ASANO

August 11, 2008  
DATE